

REMARKS

Claims 1-3, 5-11, 21 and 22 are pending. By this Amendment, no claims are cancelled, claim 1 is amended and no new claims are added.

Claim Rejections – 35 U.S.C. § 112, Second Paragraph

The language of claim 1 has been amended to clarify the previously objected-to phrase, and to provide unambiguous antecedent basis for the: manipulation axes, the directions of movement, and the plurality of selectable shift positions along each of the manipulation axes. In addition, the language of the claim has been amended to clarify that the non-contact position detecting mechanism is capable of detecting different shift positions of the shift lever along *each of the manipulation axes*.

Therefore, withdrawal of the § 112 rejection to claims 1-3, 5-11, 21 and 22 is respectfully requested.

Claim Rejections – 35 U.S.C. § 102

Claims 1-3, 5-7, 9, 10, 21 and 22 are rejected under 35 U.S.C. § 102(e) as being anticipated by Syamoto et al. (U.S. Publication No. 2004/0237692).

Claim 1 has been amended to clarify that the non-contact position detecting mechanism is capable of detecting different shift positions of the shift lever along each of the manipulation axes.

Figs. 1-4 of Syamoto show a sensor unit 20. However, the sensor unit 20 of Syamoto includes both a non-contact detection device and a contact detection device. The non-contact detection device (62, 63a, 63b, 71) is for detecting the position of the shift lever in the “shift” direction; while the *contact* detection device (73, 74, 79) is for detecting the position of the shift lever in the “*select*” direction. The Examiner’s attention is directed to the following quotes from

Syamoto, where a non-contact detection device for detecting the position of the shift lever in the shift direction is disclosed:

“The MRE elements 63a, 63b are arranged in the front-rear direction of the shift device 11 for detecting the position of the shift lever 15 in the shift direction.” (paragraph 0035)

“The light sensor 71 detects the position of the shift lever 15 in the shift direction.” (paragraph 0036)

“[T]he first MRE element 63a, the second MRE element 63b, and the light sensor 71 form a first detection device, which detects the position of the shift lever 15 in the shift direction.” (paragraph 0037)

The Examiner’s attention is also directed to the following quotes from Syamoto, where a *contact* detection device for detecting the position of the shift lever in the *select* direction is disclosed:

“The microswitches 73, 74 detect the position of the shift lever 15 in the select direction.” (paragraph 0039)

“[T]he first microswitch 73 and the second microswitch 74 form a second detection device, which detects the position of the shift lever 15 in the select direction.” (paragraph 0042)

Therefore, Syamoto does not disclose a non-contact position detecting mechanism that is capable of detecting different shift positions of the shift lever along each of the manipulation axes.

Therefore, withdrawal of the § 102 rejection to claim 1 is respectfully requested. Claims 2, 3, 5-7, 9, 10, 21 and 22 depend directly or indirectly from claim 1. Hence, withdrawal of the § 102 rejection to these claims is also respectfully requested.

Claim Rejections – 35 U.S.C. § 103

Claim 8 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Syamoto in view of Skogward (U.S. Patent No. 6,415,677). Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Syamoto in view of Fujinuma (U.S. Publication No. 2002/0056334).

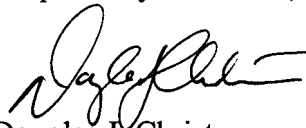
As claim 1 has been amended to clarify that the non-contact position detecting mechanism is capable of detecting different shift positions of the shift lever along each of the manipulation axes, and Syamoto does not disclose a non-contact position detecting mechanism that is capable of detecting different shift positions of the shift lever along each of the manipulation axes, withdrawal of the 103 rejections to claims 8 and 11 is respectfully requested.

CONCLUSION

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



Douglas J. Christensen
Registration No. 35,480

Customer No. 24113
Patterson, Thunte, Skaar & Christensen, P.A.
4800 IDS Center
80 South 8th Street
Minneapolis, Minnesota 55402-2100
Telephone: (612) 349-3001